Listing of Claims:

This listing of claims will replace all prior versions and listing of claims in the application.

1-33 (Cancelled)

34. (Previously Presented) A virus like particle (VLP) comprising Avian Influenza virus HA, NA and M1 proteins, wherein said VLP exhibits hemagglutinin or neuraminidase activity.

35. (Previously Presented) The VLP of claim 34, wherein said HA, NA and M1 proteins are derived from an Avian Influenza type A virus.

36. (Previously Presented) The VLP of claim 35, wherein the HA or the NA is H9N2.

37. (Previously Presented) The VLP of claim 35, wherein the HA and the NA is H9N2.

38. (Previously Presented) A VLP of claim 34, wherein the VLP is expressed from one or more nucleic acids encoding HA, NA and M1 proteins in a eukaryotic cell under conditions which permit the formation of VLPs.

39. (Previously Presented) The VLP of claim 38, wherein said eukaryotic cell is selected from the group consisting of yeast, insect, amphibian, avian or mammalian cells.

40. (Previously Presented) The VLP of claim 34, wherein said HA and NA are from an Avian Influenza virus which was isolated from an infected organism.

41. (Previously Presented) The VLP of claim 34, wherein said VLP elicits neutralizing antibodies in a subject which are protective.

42. (Previously Presented) The VLP of claim 34, wherein the VLP exhibits hemagglutinin and neuraminidase activity.

43. (Previously Presented) The VLP of claim 34, wherein the VLP is associated with an adjuvant.

44. (Previously Presented) The VLP of claim 43, wherein said adjuvant comprises non-ionic lipid vesicles.

45. (Previously Presented) The VLP of claim 34, further comprising at least one M2 or NP protein.

46. (Previously Presented) The VLP of claim 41, wherein the subject is a human.

47. (Previously Presented) The VLP of claim 40, wherein said infected organism is human.

48. (Previously Presented) The VLP of claims 34, wherein the VLP has a diameter of approximately 80 nm.

49. (Previously Presented) The VLP of claim 34, whrein the VLP comprises surface peplomers.

50. (Previously Presented) The VLP of claim 34, wherein the VLP is expressed in insect cells.

51. (Previously Presented) The VLP of claim 34, wherein the avian influenza is avian influenza A/Hong Kong/1073/99 (H9N2).

52. (Previously Presented) The VLP of claim 34, wherein said VLP exhibits hemagglutination activity at a titer of at least 1:500, when compared to a negative control.

53. (Previously Presented) The VLP of claim 34, wherein said VLP exhibits neuraminidase activity of at least an OD of 0.5 at a wavelength of 594 nm, when compared to a negative control, as determined chemically by measuring released sialic acid with thioarbitutic acid.

54. (Previously Presented) An immunogenic composition, comprising a VLP of claim 34 or 42.

55. (Previously Presented) A vaccine, comprising the VLP of claims 34 or 42.

56. (Previously Presented) A purified VLP comprising avian influenza M1 protein.

57. (Previously Presented) The VLP of claim 56, wherein said VLP further comprises influenza HA or NA.

58. (Previously Presented) The VLP of claim 57, wherein said VLP exhibits hemagglutinin or neuraminidase activity.

59. (Previously Presented) The VLP of claim 56, wherein said VLP further comprises avian influenza HA and NA.

60. (Previously Presented) The VLP of claim 59, wherein the VLP exhibits hemagglutinin and neuraminidase activity.

61. (Previously Presented) The VLP of claim 56, wherein said VLP is made by expressing nucleic acids encoding an avian influenza M1 protein in a eukaryotic cell under conditions which permit the formation of VLPs.

62. (Previously Presented) The VLP of claim 61, wherein said eukaryotic cell is selected from the group consisting of yeast, insect, amphibian, avian or mammalian cells.

63. (Previously Presented) The VLP of claim 56, wherein said avian influenza M1 is from H9N2.

64. (New) The VLP of claim 34, wherein said M1 protein contains the amino acid sequence Tyr-Lys-Lys-Leu at residues 100-103.

65. (New) The VLP of claim 56, wherein said M1 protein contains the amino acid sequence Tyr-Lys-Lys-Leu at residues 100-103.